



# City of Annapolis

Department of Planning & Zoning

145 Gorman Street, 3<sup>rd</sup> Fl  
Annapolis, MD 21401-2535

[PlanZone@annapolis.gov](mailto:PlanZone@annapolis.gov) • 410-263-7961 • Fax 410-263-1129 • TDD use MD Relay or 711 • [www.annapolis.gov](http://www.annapolis.gov)

## Planning Commission

April 15, 2015

The Planning Commission (PC) of the City of Annapolis held its regularly scheduled meeting on April 15, 2015 in City Council Chambers. **Chair** Herald called the meeting to order at 7:00p.m.

**Commissioners Present:** **Chair** William Herald, **Vice Chair** David Iams, David DiQuinzio, Robert Waldman, Benjamin Sale, Dr. Eleanor Harris

**Staff Present:** Pete Gutwald, Dr. Sally Nash, Tom Smith, David Jarrell, Marsha Patrick

### C. APPROVAL OF AGENDA

Dr. Harris moved approval of the agenda as revised to move R-33-14 up on the agenda. **Vice Chair** Iams seconded the motion. **Passed 6-0.**

### D. APPROVAL OF MINUTES

#### **March 18, 2015 Meeting Minutes**

**Vice Chair** Iams moved approval of the March 18, 2015 meeting minutes as written. Dr. Harris seconded the motion. **Passed 6-0.**

#### **April 2, 2015 Meeting Minutes**

Mr. Waldman moved approval of the April 2, 2015 meeting minutes as written. Mr. DiQuinzio seconded the motion. **Passed 6-0.**

### E. MISCELLANY

**Chair** Herald announced that he is in the process of rescheduling the PC's December meeting to avoid several conflicts. He will notify members once a new date in December has been selected. He also reminded members that he will not be present at the May meeting.

### F. APPROVAL OF FINDINGS AND OPINIONS

#### **1. R-38-14 Forest Conservation Act Fees and Fines**

Mr. DiQuinzio moved to approve Resolution R-38-14 as written. Mr. Sale seconded the motion. **Passed 6-0.**

#### **2. PD2014-003 Planned Development Application by Maryland Hall for the Creative Arts**

**Vice Chair** Iams moved to approve the Maryland Hall for the Creative Arts as written. Mr. DiQuinzio seconded the motion. **Passed 6-0.**

**G. PUBLIC HEARING**

**1. Presentation of the Capital Improvement Program (CIP) 2016-2021**

Mr. Jarrell explained that the projects in this year's CIP priorities were identified by the Capital Work Committee and focus on recapitalizing the City's assets to include water, storm and sewer pipes, streets, sidewalks and facilities. He went on to describe the ongoing projects to include Oil Water Separator, Water Distribution Rehabilitation, Sewer Rehabilitation, General Roadway, Sidewalks, Russell Street Pedestrian Improvement, Cornhill Street Curb and Sidewalk Repairs, Truxtun Park Skate Park, Wayfinding Signage, Stormwater Management Retrofits Projects, and Water Tank Rehabilitation. The CIP includes two new projects this year, the City Dock Flood Mitigation (new project to be funded at \$100,000 annually so will be a multi-year project), and the City Facility Improvements. Mr. Jarrell responded to several questions from the PC on his presentation.

Public testimony opened at 7:51pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition	Commented On
Ross Arnett	Alderman Ward 8			X

No one else from the public spoke on the CIP 2016-2021 so **Chair** Herald declared the public testimony closed at 7:55pm.

**Chair** Herald accepted the following exhibits into the record.

Exhibit Number	Planning Commission Exhibit Type
1	CIP Program FY 2016-2021 and accompanying documents

**Findings**

**Vice Chair** Iams moved to recommend approval of the CIP FY2016 to FY2021 as presented to include language to the summary that reads "...approved with special emphasis on parking demand management and information dissemination systems. Dr. Harris seconded the motion. **Passed 6-0.**

**3. Resolution R-33-14 – Vehicular Access – Aris T. Allen Boulevard**

Dr. Nash clarified that the PC heard this application at its December 4, 2014 meeting at which time it was suggested that the applicant and a representative of the Oxford Landing community meet with SHA regarding access. Since that meeting, the applicant has received indication from SHA that they can move forward with applying for access however to date there has been no indication of the outcome of that application. Dr. Nash responded to questions from the PC regarding specific aspects of the presentation.

Public testimony opened at 8:31pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition	Commented On
Alan Hyatt	200 Westgate Circle			X
Greg Walker	727 Harness Creek Road			X
Megan Fraifelds	611 Wye Island Court			X
Stacey Spencer	611 Severn Island Court			X
Alex Pline	305 Monterey Avenue			X
Erika Wallace	623 Wye Island Court			X
Anatasia Hopkinson	1036 Harbor Drive		X	
Alderman Pindell-Charles	Ward 3	X		
Alderman Arnett	Ward 8			X
Alderman Finlayson	Ward 4	X		
David Prosten	3120 Munz Drive			X

No one else from the public spoke in favor or opposition to the ordinance so **Chair** Herald closed the public testimony at 9:43pm.

**Chair** Herald accepted the following exhibits into the record.

Exhibit Number	Planning Commission Exhibit Type
1	Update on R-33-14 Memorandum dated 4/8/15
2	Staff Memorandum dated 11/24/14
3	Giannetti Letter dated 2/2015
4	Oxford Landing HOA 11/10/14
5	Libson Email dated 4/15/15
6	Pline Comment Letter undated
7	Revised Resolution language undated
8	Clean copy Resolution language undated
9	Annapolis Neck Peninsula Federation

Mr. Sale moved to recommend approval of the application as presented and the motion was modified to include conditions that the project not limit access to right turn in and out; not limit any future zoning excluding commercial; and that the developer not be relieved of their responsibility for any equitable share of the relief road costs. Mr. Waldman seconded the motion. Failed 2-3 with one abstention.

Mr. Waldman moved to approve the ordinance as originally drafted. Mr. Sale seconded the motion. Failed 1-4 with one abstention.

Mr. Waldman moved to recommend to the City Council that it not approve Resolution R-33-14 in its current form because of concerns relating to not limiting access to right turn in and out; not limiting the role of the PC on future zoning excluding commercial; and the developer not be relieved of its responsibility of its share of relief road costs; Mr. DiQuinzio seconded the motion. **Passed 4-2.** (Iams and Herald dissents)

**Chair** Herald explained that the PC rules limit it from taking up any business past 10:00pm except by 2/3 vote so would need to extend the length of the meeting to hear the remaining agenda items. Mr. DiQuinzio moved that the PC extend its meeting time tonight. Dr. Harris seconded the motion. **Passed 6-0.**

The PC recessed at 10:21pm and reconvened at 10:30pm.

### **3. O-32-14 Forest Conservation Requirements and Standards**

Mr. Waldman provided a document titled "Summary of the Forest Conservation Act" and briefly discussed its contents. He recommended that the PC approve the legislation as it currently stands.

Public testimony opened at 11:22pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition	Commented On
Alderman Arnett	Ward 8			X
Anatasia Hopkinson	1036 Harbor Drive			X
David Prosten	3120 Munz Drive			X
Rick Kissel	717 Drive			X
Eileen Powers	170 Jennifer Road			X
Phillip Dales	200 Westgate Circle			X

No one else from the public spoke in favor or opposition to the ordinance so **Chair** Herald closed the public testimony at 11:59pm.

The PC agreed to extend the public testimony for a day to allow written testimony to be submitted to Planning and Zoning after which time the public testimony will be closed.

**Chair** Herald accepted the following exhibits into the record.

<b>Exhibit Number</b>	<b>Planning Commission Exhibit Type</b>
<b>1</b>	Staff Memorandum dated 4/10/15
<b>2</b>	Ordinance 32-14 (Amended) Red-lined
<b>3</b>	Ordinance 32-14 (Amended) Clean
<b>4</b>	Summary of Forest Conservation Act
<b>5</b>	Annapolis Neck Peninsula Federation Letter dated 4/15/15
<b>6</b>	Savidge Email dated 4/14/15
<b>7</b>	Powers: Summary of Significant Concerns with O-32-14
<b>8</b>	Subtitle 3. Forest Conservation – County Version

Mr. Waldman moved to recommend approval of the Ordinance O-32-14 as amended. Mr. DiQuinzio seconded the motion. **Passed 6-0.**

#### **Findings**

**Vice Chair** Iams moved to approve the findings as written. Dr. Harris seconded the motion. **Passed 6-0.**

#### **4. PD2012-001 Primrose Hill by Milkshake Lane - POSTPONED**

#### **I. NEW BUSINESS**

##### **1. PD 2013-001: - Request for Extension for Preliminary Record Plat Approval for Enclave at Spa**

**Chair** Herald referred to a letter from Mr. Hyatt requesting a six-month extension in order resolve some environmental issues on the site prior to applying for final record plat. Staff recommends approval of the extension.

Dr. Harris moved to approve the extension request. Mr. DiQuinzio seconded the motion. **Passed 6-0.**

#### **J. ADJOURNMENT**

With there being no further business, Mr. DiQuinzio moved to adjourn the meeting at 12:30am.

**Vice Chair** Iams seconded the motion. **Passed 5-0.**

**The next meeting is scheduled for May 20, 2015 at 7:00pm.**

Tami Hook, Recorder